

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-16 are all the claims pending in the application, as Applicant herein adds new claims 13-16.

Applicant herein amends claims 2-4, 6-8 and 10-12 for clarity. No new matter has been added.

The Examiner has rejected independent claims 1, 5 and 9 under 35 U.S.C. § 102(e) as being anticipated by Loui et al (U.S. Pat. App. Pub. No. US 2003/0072486; hereinafter "Loui"). Applicant respectfully disagrees with the Examiner's position.

Independent claim 1 recites in part:

a data editing section for performing a layout processing that images represented by the image data sequentially obtained by said data obtaining section are disposed in order of obtaining of the image data by a number permitted in arrangement as many as possible on a maximum size of sheet of a plurality of predetermined sizes of sheets, and editing image data representative of images disposed by the number permitted in arrangement as many as possible on the maximum size of one sheet onto image data representative of whole images to be recorded on the one sheet[.] .

Thus, independent claim 1 requires, *inter alia*, a data editing section which edits image data representative of images disposed by the number permitted in arrangement as many as possible on the maximum size of one sheet onto image data representative of whole images to be recorded on the one sheet.

Loui discloses an albuming method with an automatic page layout of a plurality of received images based on a boundary condition of an event.<sup>1</sup> The images received have event-determining information related to one or more events. The images are then laid out into a page format, for each event, based on the event boundary condition. For example, if the page format is determined to have a maximum number of images per page, and the number of images remaining for the last page are fewer than the maximum number, the page layout of the last page of the event is automatically adapted to the event boundary by adjusting the arrangement of the pictures on the last page.<sup>2</sup> Thus, Loui discloses laying out the images for an event into a page format.

However, Loui fails to teach or suggest editing the images laid out into the page format. As noted above, Loui only discloses automatically laying out the images into a page format. FIG. 6 of Loui shows the flow diagram of the overall workflow of the disclosed albuming method. In step S122, the placement of pictures on each page is determined.<sup>3</sup> The final step of the method disclosed in Loui occurs in step S124, where the user is simply presented with the image layout performed in step S122.<sup>4</sup> Regarding step S124, Loui discloses that the user previews the layout produced by the application, and the application then allows the user to

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<sup>1</sup> See Loui, Abstract.

<sup>2</sup> Id.

<sup>3</sup> See Loui, FIG. 4 and paragraph [0059]

<sup>4</sup> Id.

manipulate the automatically generated album, including adding borders and text.<sup>5</sup> Thus, Loui allows manipulation of the album, not the image data laid out into the page format. As such, Applicant submits that Loui falls short of disclosing editing of the image data representative of images to be recorded on the one sheet, as independent claim 1 requires.

The Examiner asserts that Loui discloses the above-noted claimed features of the present invention, and points to page 4, paragraph [0043] of Loui in support of his position. However, the cited portion merely describes the operation of the page layout module.<sup>6</sup> Paragraphs [0033] - [0051] are limited to a description of the page layout. That is, Loui fails to discuss any editing of the image data beyond the operation of the automatic page layout process. Consequently, Applicant submits that Loui fails to teach or suggest the above-noted claimed features of the present invention.

Therefore, Applicant submits that independent claim 1 is patentable over the prior art of record, for at least these reasons. Similarly, Applicant submits that independent claims 5 and 9 are also patentable over the applied art for reasons analogous to those stated above regarding independent claim 1. Additionally, Applicant submits that new claims 13-16 are also patentable over the applied art, at least by virtue of their dependency on independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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<sup>5</sup> Id.

<sup>6</sup> See Loui, paragraph [0043], lines 2-5.

AMENDMENT UNDER 37 CFR §1.111  
Application No. 10/025,555

Docket No. Q67820

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

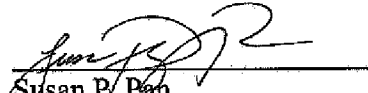
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**23373**

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